

JOINT COMMITTEE ON ADMINISTRATIVE RULES

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:
SEN. DON HARMON

CO-CHAIR:
REP. RON SANDACK

EXECUTIVE DIRECTOR:
VICKI THOMAS



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SEN. BILL BRADY
SEN. KAREN McCONNAUGHAY
SEN. TONY MUÑOZ
SEN. MATT MURPHY
SEN. IRA SILVERSTEIN
REP. GREG HARRIS
REP. LOU LANG
REP. DAVID R. LEITCH
REP. ANDRÉ THAPEDI
REP. MIKE TRYON

MINUTES

February 16, 2016

MEETING CALLED TO ORDER

The Joint Committee on Administrative Rules met on Tuesday, February 16 at 10:30 a.m. in Room C-1 of the Stratton Office Building, Springfield IL. Co-Chair Sandack called the meeting to order and announced that the policy of the Committee is to allow only representatives of State agencies to testify orally on any rule under consideration at Committee hearings. Other persons are encouraged to submit their comments to the JCAR office in writing.

ATTENDANCE ROLL CALL

Senator Bill Brady	X Representative Greg Harris
X Senator Don Harmon	X Representative Lou Lang
X Senator Karen McConnaughay	X Representative David Leitch
X Senator Tony Muñoz	X Representative Ron Sandack
X Senator Matt Murphy	X Representative André Thapedi
X Senator Ira Silverstein	X Representative Mike Tryon

APPROVAL OF THE MINUTES OF THE JANUARY 13, 2016 MEETING

Senator Murphy moved, seconded by Representative Tryon, that the minutes of the January 13, 2016 meeting be approved. The motion passed by a vote of 11-0-0.

REVIEW OF AGENCY RULEMAKINGS

Illinois Commerce Commission – Net Metering (83 Ill. Adm. Code 465; 39 Ill. Reg. 6134)

Representative Lang moved, seconded by Senator Muñoz, that JCAR, with the concurrence of the Commission, extend the Second Notice period for another 45 days. The motion passed unanimously (11-0-0).

Department of Human Services – Permanent Supportive Housing & Bridge Subsidy Model for Persons with Mental Illnesses (59 Ill. Adm. Code 145; 39 Ill. Reg. 9704)

Representative Thapedi moved, seconded by Senator McConnaughay, that JCAR object to the Department's failure to implement Public Act 97-529 in a timely manner and to the Department's

implementation of policy not yet adopted as rule. Public Act 97-529 required the Department to promulgate rules for the Permanent Supportive Housing program no later than 1/1/12. The Department not only waited more than 3 years to propose rules, but also instituted an application process and published policy documents for the program outside of rule, which is a violation of Section 5-10(c) of the Illinois Administrative Procedure Act. The motion passed unanimously (11-0-0).

AGENCY RESPONSES

Department of Children and Family Services – Reports of Child Abuse and Neglect (89 Ill. Adm. Code 300; 39 Ill. Reg. 1); Placement and Visitation Services (89 Ill. Adm. Code 301; 39 Ill. Reg. 19); Services Delivered by the Department of Children and Family Services (89 Ill. Adm. Code 302; 39 Ill. Reg. 47); Access to and Eligibility for Child Welfare Services (89 Ill. Adm. Code 304; 39 Ill. Reg. 62); Adoption Services for Children for Whom the Department of Children and Family Services is Legally Responsible (89 Ill. Adm. Code 309; 39 Ill. Reg. 74); Permanency Planning (89 Ill. Adm. Code 315; 39 Ill. Reg. 98); Administrative Case Reviews and Court Hearings (89 Ill. Adm. Code 316; 39 Ill. Reg. 123); Interstate Placement of Children (89 Ill. Adm. Code 328; 39 Ill. Reg. 137); Service Appeal Process (89 Ill. Adm. Code 337; 39 Ill. Reg. 143); Appeal of Foster Family Home License Denials by Relative Caregivers (89 Ill. Adm. Code 338; 39 Ill. Reg. 153); Authorized Child Care Payments (89 Ill. Adm. Code 359; 39 Ill. Reg. 159); Licensing Standards for Foster Family Homes (89 Ill. Adm. Code 402; 39 Ill. Reg. 165)

Due to the appropriateness of the agency's response, no further action was taken.

Teachers' Retirement System – The Administration and Operation of the Teachers' Retirement System (80 Ill. Adm. Code 1650; 39 Ill. Reg. 8243)

Due to the appropriateness of the agency's response, no further action was taken. Staff will monitor.

CONSIDERATION OF OTHER RULEMAKINGS

Department of Revenue – Retailers' Occupation Tax (86 Ill. Adm. Code 130; 39 Ill. Reg. 11865)

Senator Harmon moved, seconded by Representative Lang, that JCAR, with the concurrence of the Department, extend the Second Notice period for another 45 days. The motion passed unanimously (11-0-0).

CERTIFICATION OF NO OBJECTION

Representative Harris moved, seconded by Senator Murphy, that the Committee inform the agencies to whose rulemakings the Committee did not vote an Objection or an Extension, or did not remove from the No Objection List, that the Committee considered their respective rulemakings at the monthly meeting and, based upon the Agreements for modification of the rulemakings made by the agencies, no Objections will be issued.

The motion passed unanimously (11-0-0).

JANUARY MEETING DATE

Co-Chair Sandack announced that the next monthly meeting of JCAR is scheduled for 10:30 a.m. on Tuesday, March 8, 2016, in Room C-1 of the Stratton Office Building, Springfield IL.

ADJOURNMENT

Senator Murphy moved, seconded by Senator McConnaughay, that the meeting stand adjourned. The motion passed unanimously.

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